



CITY OF DANBURY

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DANBURY, CONNECTICUT 06810

PLANNING COMMISSION
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MINUTES MARCH 17, 2021

The web based meeting hosted on Zoom was called to order by Chairman Arnold Finaldi at 7:30 PM.

Present were Robert Chiocchio, Helen Hoffstaetter, Perry Salvagne, Joel Urice, and Arnold Finaldi Jr. Also present was Deputy Planning Director Jennifer Emminger.

Absent were Alternates Kevin Haas and Gary Renz.

Mr. Urice made a motion to accept the March 3, 2021 minutes. Mr. Chiocchio seconded the motion and it was passed unanimously by voice vote with five ayes. Chairman Finaldi said he felt a voice vote is adequate for the acceptance of the minutes, but all other votes would be taken by roll call.

CONTINUATION OF PUBLIC HEARING:

Newtown Road LLC/Maria & Manuel Andre, Manuel Neves Gouveia Marques, & Antonio Mendes Gouveia Marques – Application for Special Exception/Site Plan Approval for Child Day Care Center in the CG-20/RA-8 Zone – 36 Newtown Road, 40 & 42 Newtown Road, Whitney Avenue (K13188, K13190 & K12255, & K12254) – SE 780. THIS APPLICATION IS TABLED - THERE WILL BE NO ACTION TAKEN OR DISCUSSION ON IT.

Chairman Finaldi said this hearing will be continued at the request of the applicant's attorney. Mrs. Hoffstaetter made a motion to continue the public hearing. Mr. Salvagne seconded the motion and it was passed unanimously by voice vote.

REFERRALS:

8-24 Referral – March 2021 City Council Agenda Item #4: Petition for City Acceptance of Private Road by Assessment – Flintlock Drive.

Chairman Finaldi said the Commission members should have received a report by email and asked Mrs. Emminger to explain this. Mrs. Emminger said this is a request by six properties for acceptance of their roadway. In 1973, a 19 lot subdivision Flintlock Ridge was approved by the Planning Commission. The approval included a roadway (Flintlock Drive) that was accepted as a City road in 1977. About a year later the Planning Commission approved a six lot re-subdivision (Colonial Court) that was to be built off of an extension of Flintlock Drive. The bond was put up for the extension of the roadway and the homes were constructed. City records over several years reflect that the necessary road work was not completed so this portion of Flintlock Drive has remained private and maintenance and upkeep has been the responsibility of the residents along that portion of the road. Mrs. Emminger said road acceptance is a detailed process and this is only the first step. This led to a discussion of the various steps and the fees that would be assessed to the six property owners. Mr. Urice made a motion to give a positive recommendation subject to completion of all outstanding construction items and improvement of the roadway to City road standards. This recommendation also included the following information from Mrs. Emminger's staff report: "the right-of-way would need to be deeded to the City. The acceptance of said private road must follow the procedures outlined in the Code of Ordinances, Sec. 38-Special Assessment, which requires City Council to approve the public improvement assessment project with sufficient support from the petitioning residents. Upon City Council approval, the Engineering Division is responsible for the design of the construction plans and preparing a cost estimate to construct the remaining portion of Flintlock Drive to current City road standards. The cost estimate generally includes design, engineering, construction, acquisition if necessary, and legal fees. The assessments for each benefiting property owner will be levied after construction is completed and approved. Should the assessment project proceed, work to completed, property owners assessed, and all required title and deeds, record drawings, and associated documentation in support of the acceptance of the private road submitted in form and content acceptable to the Office of Corporation Counsel, the road would then become a public right-of-way as intended." Mr. Chiochio seconded the motion and it was passed unanimously by roll call vote with ayes from Mr. Chiochio, Mrs. Hoffstaetter, Mr. Salvagne, Mr. Urice, and Chairman Finaldi.

8-3a Referral - Petition of Berkley Insurance Company/Encompass Health CT Real Estate LLC to Amend the Master Plan of The Reserve. (Amend Phase 9B, Non-Residential Uses Not Serving the Immediate Needs of the Residential Development, from 100,000 SF of commercial use to 100,000 SF as a Physical Medical Facility-In-Patient Use.) Zoning Commission public hearing scheduled for April 27, 2021. THIS DATE IS SUBJECT TO CHANGE DEPENDING ON CIRCUMSTANCES RELATED TO COVID-19. **This will be discussed at a future meeting.**

8-3a Referral - Petition of Newtown Road LLC/Maria & Manuel Andre, Manuel Marques, & Antonio Marques, Whitney Avenue (K12254) for Change of Zone from RA-8 to CG-20. Zoning Commission public hearing scheduled for April 27, 2021. THIS DATE IS

SUBJECT TO CHANGE DEPENDING ON CIRCUMSTANCES RELATED TO COVID-19. This will be discussed at a future meeting.

Chairman Finaldi said these petitions are on file in the Town Clerk's office and also in the Planning & Zoning office. He added that these would be discussed at one of the April meetings.

NEW BUSINESS:

8-3a Referral - Petition of SC Ridge Owner LLC to Amend Sections 4.H.2.b.(2)(a) & 4.H.2.b.(3)(b) of the Zoning Regulations. *Public hearing scheduled for May 11, 2021. THIS DATE IS SUBJECT TO CHANGE DEPENDING ON CIRCUMSTANCES RELATED TO COVID-19. This will be discussed at a future meeting.*

8-3a Referral - Petition of SC Ridge Owner LLC to Amend the Master Plan for The Summit (approved June 23, 2020). *Public hearing scheduled for May 11, 2021. THIS DATE IS SUBJECT TO CHANGE DEPENDING ON CIRCUMSTANCES RELATED TO COVID-19. This will be discussed at a future meeting.*

Chairman Finaldi said these petitions are on file in the Town Clerk's office and also in the Planning & Zoning office.

Chairman Finaldi said there were three public hearings and one floodplain permit listed under For Reference Only and nothing listed under Correspondence. He asked if there was anything to discuss under Other Matters and there was nothing.

At 7:50 PM, Mr. Salvagne made a motion to adjourn. Mr. Chiocchio seconded the motion and it was passed unanimously by voice vote with five ayes.

Respectfully submitted

JoAnne V. Read
Planning Assistant